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2292	7590	11/13/2006	RUDOLPH, VINCENT M

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/099,993	ENOMOTO, JUN
	Examiner	Art Unit	
	Vincent M. Rudolph	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 August 2006</u>.

2a)☐ This action is **FINAL**.　　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-50* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>19 March 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some * c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

8/14/2006 has been entered.

Specification

The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action: .

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-8, 11-19 and 22-50 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cook ('655) in view of Aikawa ('221).

Regarding claim 1, Cook ('655) discloses a print system (a film processing

system, See Figure 1) that includes an image input device (undeveloped film scanner,

See Figure 1, Element 118b), which photoelectrically reads an image photographed on

a photographic film to input the image data (See Col. 6, Line 40-43). It also has an

image processing device to process the input image (the kiosk, See Figure 1, Element

100; Col. 4, Line 1-3). The print system also contains an image output device (printer)

to output the processed image to a predetermined recording medium (See Figure 1,

Element 124c; Col. 8, Line 34-40). Also within the print system is a storage device to

store an image retrieval data (the specific image) for retrieving the image processing

condition as the image reproducing information whenever generating the output image

(a storage system for saving the image processing condition embodied with an image(s)

if the user would like to print them out elsewhere, See Figure 1, Element 124b; Col. 7,

Line 55-Col. 8, Line 6). A retrieval device is used by the print system to get the images

off the storage device whenever an image reorder (or ordering) printing request takes

place by reading the image processing condition from the storage device (the adjusted

image that was saved, See Col. 6, Line 62-67). This all happens when a printing

request is initiated, such that it begins by reading the image photoelectrically from the

film (film is read by the undeveloped film scanner, See Col. 6, Line 40-43). Then the

image processing is performed on the image according to the condition (user selects to

enhance, crop, etc. the image, See Col. 7, Line 20-25) and generating the image to be

output then (user selects the image to print, See Col. 8, Line 34-37).

Cook ('655) does not disclose having the image processing condition as the

image reproducing information prior to generating the output image, which is not

embedded as a code within the image.

Aikawa ('221) discloses that the image processing condition is not embedded

within the image (within the magnetic recording part on the film, See Fig. 2, Element 54,

and the processing condition includes size, temperature, direction, color information, etc., See Col. 8, Line 26-42) whenever processing the image (so that the system knows the processing conditions related to the image).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a magnetic recording part, such as the one disclosed by Aikawa ('221) and incorporate it into the print system of Cook ('655) because the imbedded information allows the system to know the condition of the image so it is able to be used when reproducing it.

Regarding claim 2, Cook ('655) discloses the image retrieval data is the image characteristics data (file name) chosen when generating compressed image data (the user selecting the specific image to print, See Col. 6, Line 4-12).

Regarding claim 3, Cook ('655) discloses the image data is stored in the storage device (the user stores the images on a mass storage device, See Col. 8, Line 4-7).

Regarding claim 4, Cook ('655) discloses the image retrieval data, the image processing condition and the compressed image data are individually related to one another so whenever any one of there is deleted, the rest of the data is deleted (the cropping or enhancement of the image is all incorporated into that specific image, so whenever it is deleted after being stored for a predetermined period of time, the embodied data is also deleted, See Col. 7, Line 55-57).

Regarding claim 5, Cook ('655) discloses that the image retrieval data, the image processing condition and compressed image data are individually related to each other and also managed on a database of the storage device that includes the customer

(since the user needs a password to access the image(s), the data related to the

images is at the same location, See Col. 8, Line 18-24).

Regarding claim 6, Cook ('655) discloses the print system is connected to other

print systems via a network, and the other systems can also retrieve the image when

performing the retrieval operation using the image retrieval data when reordering (or

ordering) the image (if the user does not want to print the images at that location, it can

be retrieved at another and printer there also, See Col. 8, Line 4-7).

Regarding claim 7, Cook ('655) discloses that the image reproducing information

is managed by a server (mass storage device, See Figure 1, Element 126a) on the

network, and that it is retrieved when performing the retrieval operation (if the user

wants to access the images at another film processing system, the images can be

generated through the mass storage device, See Col. 8, Line 4-7).

Regarding claim 8, Cook ('655) discloses the retrieval range (the time limit) and

retrieval condition (being retrieved before the predetermined expiration of the images)

can be preset when performing the retrieval operation (if the user chooses to store the

images in the storage system, they are available for a certain limited time, See Col. 7,

Line 55-57).

Regarding claim 11, Cook ('655) discloses the number of frames of storable

image reproducing information (images), which is set in accordance with the print

system performance (time the image is saved for) and resource (where to store the

image), is changeable (number of images user saves depends on how many one wants

to store and how long, which can change if the user decides to print them directly

(RAM), later (mass storage) or keep them (burn to a cd or save to a floppy disk), See Col. 7, Line 30-33; Col. 7, Line 55-Col. 8, Line 2).

Regarding claim 12, Cook ('655) does not disclose the image processing condition so it is related to the image characteristic data and stored as the image reproducing information prior to generating the output image.

Aikawa ('221) discloses that the image processing condition is related to the image characteristic data (within the magnetic recording part, See Fig. 2, Element 54, and the processing condition includes size, temperature, direction, color information, etc., which relates to the image characteristics, such as image direction and photograph size, See Col. 8, Line 26-42) and is stored onto a recording medium (See Col. 8, Line 26-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include the processing condition and relate it to the image characteristic data, such as the one disclosed by Aikawa ('221) and incorporate it into the print system of Cook ('655) because the imbedded information allows the print system to know the processing condition of the image as it was originally produced relating to the image characteristic data, which is then able to be used whenever reproducing the image.

Regarding claim 13, Cook ('655) discloses the image reproducing information is obtained by loading the data of a predetermined print system (the one the user is at) at a predetermined timing (the reproducing information is retrieved whenever the user requests it, See Col. 8, Line 4-7).

Regarding claim 14, Cook ('655) discloses the loaded image reproducing

information can be deleted after an image reorder (or order) is completed (since the

images are stored for a certain time period, incase the user decides to print more, they

are deleted after that time passes, See Col. 7, Line 55-57).

Regarding claim 15, Cook ('655) discloses a print system (a film processing

system, See Figure 1) that includes an image input device (undeveloped film scanner,

See Figure 1, Element 118b), which photoelectrically reads an image photographed on

a photographic film to input the image data (See Col. 6, Line 40-43). It also has an

image processing device to process the input image (the kiosk, See Figure 1, Element

100; Col. 4, Line 1-3). The print system also contains an image output device (printer)

to output the processed image to a predetermined recording medium (See Figure 1,

Element 124c; Col. 8, Line 34-40). Also within the print system is a storage device to

store image data after being processed by the image processing device and prior to

being converted into an output format corresponding to the predetermined recording

medium (printed out), which is the image reproducing information generating the output

image by using an image identification code (password) for specifying the image data (if

the user desires to print the images at another film processing center, the user can be

granted access once a password is specified, See Col. 8, Line 2-24, once the user

selects what process to output the image data, See Col. 7, Line 31-33). A retrieval

device is then used to get the images off the storage device using the image

identification code provided so the user has the opportunity to order more prints (See

Col. 8, Line 24-32). This all happens when the user requests to process image data to

print out the images by retrieving them using the identification code and output them to a predetermined recording medium from the image output device (See Col. 8, Line 2-32).

Cook ('655) does not disclose that the identification code is used to uniquely identify the processed image data.

Aikawa ('221) discloses an identification code (frame number) that is used to uniquely identify the image data (See Col. 8, Line 32-33).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include the frame number to identify the image data, such as the one disclosed within Aikawa ('221), and incorporate it into the print system of Cook ('665) because it allows the image data to be more easily retrieved and displayed faster for the user to manage rather than going through each image to find the selected one (See Col. 10, Line 16-21).

Regarding claim 16, Cook ('655) discloses the processed image data stored as the image reproducing information is the image data that includes image processing of sharpness processing (enhancing the image, See Col. 7, Line 19-25).

Regarding claim 17, Cook ('655) discloses that within the processed image data stored as the image reproducing information is related to each other and also managed on a database of the storage device that includes the customer (since the user needs a password to access the image(s), the data related to the images is at the same location, See Col. 8, Line 18-24).

Regarding claim 18, Cook ('655) discloses the print system is connected to other

print systems via a network, and the other systems can also retrieve the image when

retrieving the image reproducing information when reordering (or ordering) the image (if

the user does not want to print the images at that location, it can be retrieved at another

and printer there also, See Col. 8, Line 4-7).

Regarding claim 19, Cook ('655) discloses that the processed image data stored

as the image reproducing information is managed by a server (mass storage device,

See Figure 1, Element 126a) on the network, and that it is retrieved when performing

the retrieval operation (if the user wants to access the images at another film processing

system, the images can be generated through the mass storage device, See Col. 8,

Line 4-7).

Regarding claim 26, Cook ('655) discloses a selection can be made whether the

image, after the reorder (or order) is outputted using the same print system as when

originally generating the output image, can be reproduced using the same or another

print system (since the storage system stores the images for a certain time period, the

user can access the images at other film processing centers if desired, See Col. 8, Line

2-7).

Regarding claim 27, the rationale provided in the rejection of claim 1 is

incorporated herein. In addition, Cook ('655) discloses that the print system uses the

storage device to store image data after being processed by the image processing

device and prior to being converted into an output format corresponding to the

predetermined recording medium (printed out), with an image retrieval data (the specific

image) for retrieving the image processing condition as the image reproducing

information whenever generating the output image (a storage system for saving the

image processing condition embodied with an image(s) if the user would like to print

them out elsewhere, See Figure 1, Element 124b; Col. 7, Line 55-Col. 8, Line 6). The

retrieval device is used to get the image processing condition from the storage device

using the image retrieval data for the reorder (or order) printing request (the adjusted

image that was saved, See Col. 6, Line 62-67). A judgment device (the detection of the

touch screen menus, See Col. 6, Line 15-18) is used to decide there is a change

between the image processing condition when the output image reproducing the

photographed image is generated and when the reorder (or order) is made (the film

processing system can enhance, print, output, etc. the selected digitized images by

interacting with it, See Col. 6, Line 4-12). If there was no change in the image

processing condition upon the reorder (or order), the image is output using the

processed image data stored in the storage device (the user requests to print the image

if satisfied with the result, See Col. 6, Line 8-12). If there was a change in the image

processing condition (for example, the image was accidentally cropped too much and

saved) upon the reorder (or order), the image is newly read from the photographic film

so the image processing condition corresponding to the image stored can be changed

to the appropriate processing condition (the user re-enters the film to get the image

again to correctly edit the image, See Col. 7, Line 20-25).

Cook ('655) does not disclose having the image processing condition as the image reproducing information prior to generating the output image, which is not embedded as a code within the image.

Aikawa ('221) discloses that the image processing condition is not embedded within the image (within the magnetic recording part on the film, See Fig. 2, Element 54, and the processing condition includes size, temperature, direction, color information, etc., See Col. 8, Line 26-42) whenever processing the image (so that the system knows the processing conditions related to the image).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a magnetic recording part, such as the one disclosed by Aikawa ('221) and incorporate it into the print system of Cook ('655) because the imbedded information allows the system to know the condition of the image so it is able to be used when reproducing it.

Regarding claim 28, Cook ('655) discloses that even though there is a change in the image processing condition upon the reorder (or order), the image is output using the processed image data stored in the storage device (if the user is able to undo the error prior to saving it, the image can still be printed without re-entering the photographed film, See Col. 4, Line 1-11).

Cook ('655) does not disclose that the change in the image processing condition is within a preset allowable range.

Once the image is saved, it can be cropped more until the user finds it suitable prior to printing, which is within the preset allowable range. In the case where the user

cropped it too much, if the image is saved also, the image has to be photoelectrically read again in order for the user to change the image processing condition within the preset allowable range (See Col. 7, Line 19-25). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have the preset allowable range included within the print system in order for the user to change the image when necessary before outputting it.

Regarding claim 29, Cook ('655) discloses the storage device stores the image reproducing information only for a predetermined period (See Col. 7, Line 55-57). Also, the processed image data is erased (erased after a certain time period in case the user would like it print it out at a later date, See Col. 7, Line 55-57).

Cook ('655) does not disclose storing the image retrieval data and the image processing condition of the reproducing information after the elapse of the predetermined period.

Cook does disclose that the print system stores data relating to the image reproducing information after the elapse of he predetermined period (data regarding the billing of the user, See Col. 5, Line 41-43). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have the billing data relating to the image reproducing information incorporated into the print system because the information can include the image retrieval data (the filename of the image so the user knows which image was printed) and the image processing condition (so the user knows which size was printed and successfully charged to the account).

Regarding claim 30, Cook ('655) discloses that the predetermined period can be preset (the certain limited time period has to be set by the server in order to not overload the storage system, See Col. 7, Line 55-57).

Cook ('655) does not disclose that the predetermined period can be preset by an operator.

An operator can be someone, such as a network administrator, who oversees the print system server and presets the time period so the files are deleted after a certain predetermined point in time.

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have the operator, such as the network administrator, set the predetermined time period to make sure the server does not overload or crash from all the images being saved onto it. Thus, by setting a time period, this prevents the system from loading too much, which can lead to all the images being lost.

Regarding claim 31, Cook ('655) discloses the print system includes a display capable of displaying an image (See Figure 1, Element 102), so it can display the retrieval result of the image reproducing information upon the reorder (or ordering) (the user selects the image to print out using the display, See Col. 4, Line 1-11).

Regarding claim 32, Cook ('655) discloses when a retrieval object is not found, the images listed as a second candidate and the following can be displayed (in case the image is not found, other images are displayed so the user can select the second candidate, or alternate, ones to print, See Col. 4, Line 4-7).

Regarding claim 33, Cook ('655) discloses a back-printing device to print out the output image, which is done as a result of the image reproducing information of the reorder (or ordering) (a printer is located within the film processing system to automatically print out the selected images, See Figure 1, Element 134a; Col. 8, Line 34-45).

Regarding claims 22-25 and 34-35, the rationale provided in the rejection of claims 8, 11-14 is incorporated herein. In addition, the system of claim 8 corresponds to the system of claim 22 as well as the system of claims 11-14 corresponds to the system of claims 23-25 and 34-35 and performs the steps disclosed herein.

Regarding claim 36, Cook ('665) discloses a system that includes an image input device (film processing system, See Figure 1, Element 104) that preliminarily and finely reads an image from a photographic film to generate image data (the film processing system develops and digitizes the film in order to produce the image related to the one on the film, See Col. 4, Line 1-3), a setup device configured to generate image retrieval data based on the preliminarily image data generated (once the film is received, it is developed in order to be displayed for the user, See Col. 4, Line 1-5), a retrieval device is configured to retrieve the image processing condition from the storage device based on the data generated by the set up device (the adjusted image that was saved, See Col. 6, Line 62-67), and an image processing device configured to process the fine image data from the input device using the image processing condition retrieved (using the conditions received, See Col. 7, Line 19-25, a digital image is produced, See Col. 4, Line 26-30).

Cook ('655) does not disclose having the image processing condition as the condition that the image was originally processed in order to output the image data.

Aikawa ('221) discloses that the image processing condition is the condition that was originally processed (within the magnetic recording part, See Fig. 2, Element 54, and the processing condition includes size, temperature, direction, color information, etc., See Col. 8, Line 26-42) whenever processing the image (so that the system knows the processing conditions related to the image).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include the image processing condition of the original image, such as the one disclosed by Aikawa ('221) and incorporate it into the print system of Cook ('655) because the imbedded information allows the system to know the condition of the image so it is able to be used when reproducing it.

Regarding claim 37, Cook ('655) discloses that the image input device prescans the image in order to generate the preliminary image data (the film processing system develops the film so that the user is able to edit it prior to digitizing and outputting the image, See Col. 4, Line 1-3).

Regarding claim 38, Cook ('655) does not disclose that the set up device generates the image retrieval data based on criteria for the image characteristics.

Aikawa ('221) discloses that the image characteristics data includes a sum of the value of the blocks (pixels) of the prescanned image data (See Col. 22, Line 1-9).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include the image characteristic criteria, such as the one

disclosed within Aikawa ('221), and incorporate it into the system of Cook ('665)

because it allows the system to determine whether the image is in-focus or out-of-focus

in order to determine whether to make the prescanned image more or less smooth,

which generates a better outputted image (See Col. 22, Line 21-42).

Regarding claim 39, Cook ('655) does not disclose generating the image retrieval

data based on the frame number of the photographic film.

Aikawa ('221) discloses that the information recorded includes the frame number

(See Col. 8, Line 32-33).

It would have been obvious to one of ordinary skill in the art at the time of the

invention by the applicant to include the frame number of the photographic film, such as

the one disclosed by Aikawa ('221), and incorporate it into the system of Cook ('655)

because it is able to retrieve the image faster by having the frame number saved rather

than having a using go through each image to retrieve the one to output.

Regarding claim 40, Cook ('655) does not disclose the image input device reads

the frame number as well as the film ID of the photographic film for retrieving the

preliminary image data.

Aikawa ('221) discloses that the frame number (See Col. 8, Line 32-33) as well

as the film ID of the photographic film (the film cartridge, See Col. 7, Line 45-46) for

reading the preliminary image data.

It would have been obvious to one of ordinary skill in the art at the time of the

invention by the applicant to include the frame number and film ID of the photographic

film, such as the one disclosed by Aikawa ('221), and incorporate it into the system of

Cook ('655) because it allows the image data to be easily retrieved and displayed faster

for the user to manage (See Col. 10, Line 16-21).

Regarding claim 41, Cook ('655) discloses a control panel section (display, See

Figure 1, Element 102) to display information and receive input from the user (See Col.

4, Line 15-24), the storage device stores a plurality of compressed image data for the

images (See Col. 8, Line 2-4), the retrieval device retrieves a plurality of compressed

image data (the adjusted images that were saved, See Col. 6, Line 62-67), the control

panel section also displays the image and selects it based on input from the user (user

selects the image and how to have it outputted, See Col. 4, Line 5-11), and the retrieval

device retrieves the original image processing condition to the particular compressed

image data from the storage device (the adjusted images that were saved, See Col. 6,

Line 62-67).

Regarding claim 42, Cook ('655) does not disclose having the set up device not

to generate the image retrieval data based on any processing condition information

embedded as a code within the image prior to generating the output image.

Aikawa ('221) discloses that the image processing condition is not embedded

within the image (within the magnetic recording part of the film, See Fig. 2, Element 54,

and the processing condition includes size, temperature, direction, color information,

etc., See Col. 8, Line 26-42) whenever processing the image (so that the system knows

the processing conditions related to the image).

It would have been obvious to one of ordinary skill in the art at the time of the

invention by the applicant to include a magnetic recording part, such as the one

disclosed by Aikawa ('221) and incorporate it into the print system of Cook ('655)

because the imbedded information allows the system to know the condition of the image

so it is able to be used when reproducing it.

Regarding claim 43, Cook ('655) discloses a system that includes an image input

device (film processing system, See Figure 1, Element 104) that preliminarily and finely

reads an image from a photographic film to generate image data (the film processing

system develops and digitizes the film in order to produce the image related to the one

on the film, See Col. 4, Line 1-3), a setup device configured to generate image retrieval

data based on the preliminarily image data generated (once the film is received, it is

developed in order to be displayed for the user, See Col. 4, Line 1-5), a storage device

to store a plurality of processed image data of previously processed images (See Col. 8,

Line 4-5), a retrieval device is configured to retrieve a particular original image

processing condition from the storage device based on the data generated by the set up

device (the particular adjusted image that was saved, See Col. 6, Line 62-67), a

judgment device (the detection of the touch screen menus, See Col. 6, Line 15-18) is

used to decide whether the current image processing condition when the output image

reproducing the photographed image is generated and when the reorder (or order) is

made are the same (the film processing system can enhance, print, output, etc. the

selected digitized images by interacting with it, See Col. 6, Line 4-12). If the image

processing conditions are not the same (for example, the image was accidentally

cropped too much and saved) upon the reorder (or order), the image is configured to

process the fine image data using the current image processing condition (the user re-

enters the film to get the image again to correctly edit the image, See Col. 7, Line 20-25) such that the image input device finely reads the image for processing (after the image on the film is developed, it is digitized in order to be outputted, See Col. 4, Line 1-3). If there was no change in the image processing condition upon the reorder (or order), the image is output using the processed image data retrieved image data (the user requests to print the image if satisfied with the result, See Col. 6, Line 8-12).

Cook ('655) does not disclose saving the image processing condition as the condition that the image was originally processed.

Aikawa ('221) discloses that the image processing condition is the condition that was originally processed (within the magnetic recording part, See Fig. 2, Element 54, and the processing condition includes size, temperature, direction, color information, etc., See Col. 8, Line 26-42) whenever processing the image (so that the system knows the processing conditions related to the image).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include the image processing condition of the original image, such as the one disclosed by Aikawa ('221) and incorporate it into the print system of Cook ('655) because the imbedded information allows the system to know the condition of the image so it is able to be used when reproducing it.

Regarding claims 44-49, the rationale provided in the rejection of claims 37-42 is incorporated herein. In addition, the system of claims 37-42 corresponds to the system of claims 44-49 and performs the steps disclosed herein.

Regarding claim 50, Cook ('655) does not disclose that the judgment device determines that the current and particular original image processing conditions are the same when a difference is within a predetermined level.

Aikawa ('221) discloses whenever the difference between the two conditions falls within a predetermined lever (small) that nothing is activated in order to change anything (the image does not need to be altered, or smoothed, since there is a small difference between the summation of them, See Col. 22, Line 40-42).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to not alter the processing condition whenever the two fall within a predetermined level, such as the one disclosed within Aikawa ('221), and incorporate it into the system of Cook ('655) because since the initial change between the two is relatively small, it eliminates the system from rescanning the image data as well as having the image data outputted faster.

Claims 9-10 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) in view of Aikawa ('221) as applied to claim 1, and further in view of Chacker ('008).

Regarding claim 9, Cook ('655) discloses the image reproducing information, the image retrieval data and the compressed data are saved (the information is saved when the user requests to save it, See Col. 7, Line 55-Col. 8, Line 7).

Cook ('655) does not disclose backing up the data at a predetermined timing.

Chacker ('008) discloses backing up data at a predetermined timing (the data files are backed up on a daily basis, See Col. 11, Line 31-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have a backup system, such as the one disclosed by Chacker ('008) and incorporate it into the print system disclosed by Cook ('655) because the backup system helps to prevent the image data being lost in a situation and ensures that the user's data is saved on the storage device.

Regarding claim 10, Cook ('655) discloses the image reproducing information, the image retrieval data and the compressed data are saved within a predetermined timing (the information is saved when the user requests to save it, See Col. 7, Line 55-Col. 8, Line 7).

Cook ('655) does not disclose that the predetermined timing occurs during the time whenever an operator gives the instruction.

Chacker ('008) discloses backing up the data on a daily time period (the backup files are predetermined to be saved on a daily basis, See Col. 11, Line 31-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have the backup system disclosed, such as the one disclosed by Chacker ('008) and incorporate it into the print system disclosed by Cook ('655) because by specifying the time to back the data up, it helps to prevent the image data being lost and ensures that the user's image data is safely stored on the storage device.

Regarding claims 20-21, the rationale provided in the rejection of claims 9-10 is incorporated herein. In addition, the system of claims 9-10 corresponds to the system of claims 20-21 and performs the steps disclosed herein.

Response to Arguments

The applicant argues that the prior art does of Cook cannot be equivalent to the image identification code since the password, as disclosed within Cook, is not used to determine the particular image to be retrieved. Thus, the prior art of Aikawa is used to meet the claimed limitation. Aikawa discloses using a frame number to uniquely identify the particular image data (See Col. 8, Line 32-33). By combining it with the prior art of Cook, it allows the image system to easily retrieve and display the image in order for the user to manage faster rather than having the user go through each image of the photographic film to find the particular one (See Col. 10, Line 16-21). Therefore, the combined prior art is able to meet the limitations of the amended claims.

The applicant also argues that the prior art does not teach that the image retrieval data is not based on any condition embedded as a code within the image. The prior art of Aikawa discloses that the image processing condition is included within the magnetic recording part on the film, and the processing condition includes such information as the size, temperature, direction, color information, etc. of the image (See Col. 8, Line 26-42). Thus, by combining it with the prior art of Cook, it enables the system to know the condition of the image so it is able to process it accordingly. Therefore, the combined prior art is able to meet the limitations of the amended claims.

Based on these facts, **THIS ACTION IS MADE NON-FINAL.**

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is: Baum ('059) and Stoffel ('990).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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11/01/06

VMR

Vincent M. Rudolph
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